

1
2
3
4
5
6
7
8 UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
10

11 BOBBY BAKER,

12 Plaintiff,

13 v.

14 COUNTY OF ALAMEDA, et al.,

15 Defendants.
16

No. 2:23-cv-00249 DB

ORDER

17 Plaintiff, a civil detainee at Coalinga State Hospital proceeding pro se, has filed a civil
18 rights action pursuant to 42 U.S.C. § 1983. (ECF No. 1.) Plaintiff has filed an application to
19 proceed in forma pauperis pursuant to 28 U.S.C. § 1915. (ECF No. 2.)

20 The federal venue statute provides that a civil action “may be brought in (1) a judicial
21 district in which any defendant resides, if all defendants are residents of the State in which the
22 district is located, (2) a judicial district in which a substantial part of the events or omissions
23 giving rise to the claim occurred, or a substantial part of property that is the subject of the action
24 is situated, or (3) if there is no district in which an action may otherwise be brought as provided in
25 this action, any judicial district in which any defendant is subject to the court’s personal
26 jurisdiction with respect to such action.” 28 U.S.C. § 1391(b).

27 In this case, the claim arose in Alameda County, which is in the Northern District of
28 California. Therefore, plaintiff’s claim should have been filed in the United States District Court

1 for the Northern District of California. In the interest of justice, a federal court may transfer a
2 complaint filed in the wrong district to the correct district. See 28 U.S.C. § 1406(a); Starnes v.
3 McGuire, 512 F.2d 918, 932 (D.C. Cir. 1974).

4 Accordingly, IT IS HEREBY ORDERED that this matter is transferred to the United
5 States District Court for the Northern District of California.

6 Dated: June 16, 2023

7
8
9 DB:15
DB/DB Prisoner Inbox/Civil Rights/R/bake0249.21


DEBORAH BARNES
UNITED STATES MAGISTRATE JUDGE